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FILED
09 APR -1 AM 9:25
FEDERAL DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

E. K. Wade

Plaintiff,) Case No. C 08-0021 JSW
vs.) NOTICE OF MOTION FOR SUMMARY
Elaine Chao, Secretary) JUDGMENT, OR IN THE ALTERNATIVE,
U.S. Department of Labor) SUMMARY ADJUDICATION OF ISSUES
Defendant.) WITHOUT SUBSTANTIAL
) CONTROVERSY

) Date: May 9, 2008
Time: 9:00 A.M.
Place: Courtroom 2, 17th Floor
Before: Honorable Jeffrey S. White

TO DEFENDANT U.S. ATTORNEYS AND ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE THAT on May 9, 2008, in Courtroom 2 of the above-entitled Court at 9:00 A.M., or as soon thereafter as the matter can be heard, Plaintiff will move for summary judgment, or in the alternative, for summary adjudication of the issues without substantial controversy, on the grounds that there are no disputes of material fact.

This motion will be based upon this notice, on the memorandum of points and authorities, statement of undisputed facts, and declarations of E. K. Wade filed herewith, on all the

1 pleadings, papers, and records on file herein, and on such further oral and documentary evidence
2 as may be presented at the hearing of this motion.

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4 Dated this 1st day of April 2008

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